

Tailings pond near Rico mine to be repaired

**EPA to fix beaver dam
that threatens to pollute
Dolores River**

Associated Press *Camera 4/23*

RICO — The Environmental Protection Agency has been called in to clean up a beaver dam threatening to spill contaminated water into the Dolores River.

The dam was built across a culvert that drains a settling pond holding acidic water from the abandoned Rico Argentine Mine. Now the pond, brimming with snowmelt, threatens to overflow into the river, a popular trout stream in the far western part of Colorado.

In this case, officials say beavers, sometimes called "the engineers of nature," are taking their work a little too seriously.

Town Manager Eric Heil says the banks of two ponds are badly eroded and could be breached by a heavy spring runoff if repairs are not done. A beaver dam also is preventing water from draining from one of the ponds, causing more problems.

The ponds have not had maintenance or any chemical treatment since 1996, and a dispute over ownership of the property and the responsibility for the discharge permit has complicated matters, town officials said.

The Environmental Protection

Agency received a federal warrant this week allowing it to take immediate action under the Comprehensive Environment Response, Compensation and Liability Act. An EPA emergency response team is set to begin the repair work Monday.

"We're real happy to see the EPA and Department of Justice taking action in time for spring runoff," Heil said.

Mine owner Wayne Webster of Athens, Texas said the real problem is environmentalists who oppose trapping beavers.

"There are so many beavers that they're damming everything up there," he said. "We have to get rid of the beavers."

The mine is next to Silver

Creek, a tributary of the Dolores River.

Federal authorities sued the now-defunct Rico Development Corp. last year for violating the Clean Water Act. The lawsuit alleged that mineral levels discharged by a tunnel at the mine exceed those allowed by permit, which expired Jan. 31, 1999. The required new permit was not obtained.

However, Rico Development Corp.'s principals denied responsibility, saying they sold mining claims and other property to Rico Properties LLC in 1994.

The mine properties have had a series of owners and sorting out everyone who should pay to clean it up won't be easy, Heil said.

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EPA to help fix-mine ponds

Rico residents fear heavy-metal sludge will drain into river

By **Electa Draper** APR 22 2000
Denver Post Four Corners Bureau

An Environmental Protection Agency emergency-response team on Monday will begin repairs on tailings ponds at the abandoned Rico Argentine Mine to prevent heavy-metal sludge from flowing into the Dolores River near the town of Rico, the U.S. Department of Justice said Friday.

The old mine's complex system of tunnels drains into 11 settling ponds designed to trap heavy metals such as cadmium, lead, zinc, arsenic, silver and copper. The ponds, visible from Colorado 145 just north of Rico, began brimming with melting snow in mid-April. It caught Ricoans' attention.

The banks of two ponds are badly eroded and could be breached by a heavy spring runoff if repairs aren't done, Town Manager Eric Heil said Friday. The ponds have not seen maintenance or any chemical treatment since 1996, and a dispute over ownership of the property and the responsibility for the discharge per-

mit has further muddied the waters, town officials said.

However, the EPA received a federal warrant this week allowing it to take immediate action under the Comprehensive Environment Response, Compensation and Liability Act.

"We're real happy to see the EPA and Department of Justice taking action in time for spring runoff," Heil said.

The St. Louis Tunnel is the main tunnel draining into the ponds near the Dolores River, but the mine's Blaine Tunnel, supposedly sealed during reclamation, has been leaking waste into Silver Creek. Although the creek supplies the town's water, the diversion point is upstream from the contaminated discharge, Heil said.

However, townspeople are still concerned that Silver Creek, a tributary of the Dolores, has a mile-long stretch devoid of aquatic life.

In July 1999, the U.S. government sued, the now-defunct Rico Development Corp., for violating the Clean Water Act. The suit alleges that mineral levels dis-

charged by the St. Louis Tunnel exceed those allowed by permit, which expired Jan. 31, 1999. The required new permit was not obtained.

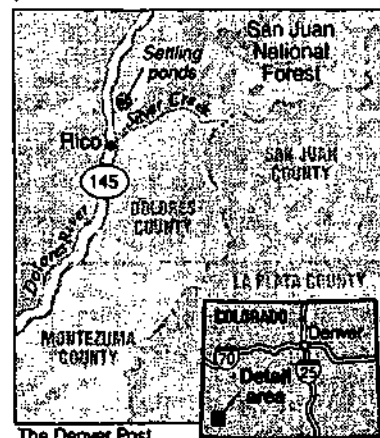
However, Rico Development Corp.'s principals, including former President Wayne Webster of Athens, Texas, deny responsibility, saying they sold mining claims and other property to Rico Properties LLC in 1994. The federal government argues in its lawsuit that the sale did not transfer ownership of the St. Louis Tunnel and the waste-treatment system to Rico Properties.

Rico was largely owned by the Rico Argentine Mining Co. for roughly 60 years — a true company town, Heil said. The mine supplied base and precious metals crucial to the United States, especially during two World Wars and the Korean War.

The mine properties have had a series of owners and sorting out everyone who should pay to clean it up won't be easy, Heil said.

Repairs on the way

The Argentine Mine near Rico is leaking effluent containing heavy metals such as cadmium, lead and arsenic into the Dolores River. The Environmental Protection Agency will make repairs to stabilize settling ponds.



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